| 1 | GORDON SILVER MICHAEL N. FEDER | | |
|----|--|--------------------------------|--|
| 2 | Nevada Bar No. 7332 | | |
| | Email: mfeder@gordonsilver.com JUSTIN J. BUSTOS | | |
| 3 | Nevada Bar No. 10320 Email: jbustos@gordonsilver.com | | |
| 4 | ANJALI D. WEBSTER Nevada Bar No. 12515 | | |
| 5 | Email: <u>awebster@gordonsilver.com</u> 100 W. Liberty Street, Suite 940 | | |
| 6 | Reno, Nevada 89501 Tel: (775) 343-7500 | | |
| 7 | Fax: (775) 786-0103 | | |
| 8 | ULMER & BERNE LLP FRANCES FLORIANO GOINS (Admitted Pro Hace | , Vica) | |
| 9 | Email: fgoins@ulmer.com 1660 West 2 nd Street, Suite 1100 | | |
| 10 | Cleveland, OH 44113 | | |
| 11 | Tel: (216) 583-7202 Fax: (216) 583-7203 | | |
| 12 | Attorneys for Plaintiff | | |
| 13 | | | |
| 14 | UNITED STATES DISTRICT COURT | | |
| 15 | DISTRICT OF | | |
| 16 | CHINA ENERGY CORPORATION, a Nevada corporation, | CASE NO. 3:13-cv-00562-MMD-VPC | |
| 17 | Plaintiff, | | |
| 18 | VS. | | |
| 19 | ALAN T. HILL, ELENA SAMMONS, MICHAEL SAMMONS, THOMAS S. | | |
| 20 | VREDEVOOGD, TRUSTEE OF THE | | |
| 21 | KIMBERLY J. VREDEVOOGD TRUST UA 1007/2008, JUN HE, and RANDY DOCK | | |
| 22 | FLOYD, | | |
| 23 | Defendants. | | |
| 24 | AMENDED STIPULATED DISMISSAL WITH PREJUDICE AS TO COUNT I OF THE COMPLAINT | | |
| 25 | | | |
| 26 | Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), the undersigned parties hereby stipulate to the | | |
| 27 | dismissal of Count I of Plaintiff China Energy Corporation's ("CEC") Complaint with prejudice. | | |
| 28 | /// | | |

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| 1 | Upon the entry of this stipulated dismissal, the Parties request that CEC and Defendants | | |
|-----|--|---|--|
| 2 | Michael Sammons, Elena Sammons, Alan T. Hill, Jun He, Randy Dock Floyd, and Thomas S. | | |
| 3 | Vredevoogd, Trustee of the Kimberly J. Vredevoogd Trust UA 1007/2008, proceed to Count II, | | |
| 4 | which seeks a judicial determination of the fair value of the Defendants' shares of CEC stock. | | |
| 5 | Further, the Parties request that the Court set this case for a status conference at which the Court | | |
| | | | |
| 6 | may set a schedule for the proceedings under Count II. | | |
| 7 | | Respectfully submitted, | |
| 8 | GORDON SILVER | | |
| 9 | | //NC 1 1 C | |
| 10 | /s/ Justin J. Bustos MICHAEL N. FEDER | <u>/s/ Michael Sammons</u> Michael Sammons | |
| 1.1 | Nevada Bar No. 7332 | 15706 Seekers St | |
| 11 | JUSTIN J. BUSTOS | San Antonio, TX 78255 | |
| 12 | Nevada Bar No. 10320 | Defendant in Proper Person | |
| 1.2 | ANJALI D. WEBSTER Nevada Bar No. 12515 | | |
| 13 | 100 W. Liberty Street, Suite 940 | _/s/ Elena Sammons | |
| 14 | Reno, Nevada 89501 | Elena Sammons | |
| 1.5 | , | 15706 Seekers St | |
| 15 | ULMER & BERNE LLP | San Antonio, TX 78255 | |
| 16 | FRANCES FLORIANO GOINS | Defendant in Proper Person | |
| 17 | (Admitted Pro Hac Vice) 1660 West 2nd Street, Suite 1100 | | |
| 17 | Cleveland, OH 44113 | | |
| 18 | Attorneys for Plaintiff | | |
| 19 | 3 3 | | |
| 19 | ATTORNEY AT LAW, LTD. | HOLLAND & HART | |
| 20 | | | |
| 21 | /s/ Edmund J. Gorman | _/s/ Tamara Reid | |
| 22 | Edmund J. Gorman, Jr., Esq. Nevada Bar No. 11581 | Tamara Reid, Esq. Nevada Bar No. 9840 | |
| 23 | 335 W. First Street | 5441 Kietzke Lane, 2 nd Floor | |
| 24 | Reno, NV 89503 Attorney for Defendant Alan T. Hill | Reno, NV 89511 Attorney for Thomas S. Vredevoogd, Trustee | |
| 25 | | of the Kimberly J. Vredevoogd Trust UA 1007/2008 | |
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| | <u>/s/ Jun He</u> | /s/ Randy Dock Floyd |
|----|--|----------------------------|
| 1 | Jun He | Randy Dock Floyd |
| 2 | 231 Split Rock Rd | 4000 Goff Road |
| | The Woodlands, TX 77381 | Aynor, SC 29551 |
| 3 | Defendant in Proper Person | Defendant in Proper Person |
| 4 | | |
| 5 | RUMBERGER, KIRK & CALDWELL, P.C. | |
| 6 | | |
| 7 | _/s/ Meredith Lees | |
| 8 | Peter Tepley, admitted pro hac vice Meredith Lees, admitted pro hac vice | |
| 9 | Rebecca Beers, admitted pro hac vice | |
| 10 | 2204 Lakeshore Drive, Suite 125 Birmingham, AL 35209-6739 | |
| 11 | Bret F. Meich (SBN 11208) | |
| 12 | ARMSTRONG TEASDALE, LLP 3770 Howard Hughes Parkway, Suite 200 | |
| 13 | Las Vegas, NV 89169 Counsel for Third-Party Defendant COR | |
| 14 | Clearing, LLC | |
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CERTIFICATE OF SERVICE 1 The undersigned, an employee of Gordon Silver, hereby certifies that she served a copy 2 3 of the AMENDED STIPULATED DISMISSAL AS TO COUNT I OF THE COMPLAINT via CM/ECF on December 22nd, 2014, to the following individuals: 4 5 Michael Sammons Peter Tepley Meredith Lees 15706 Seekers St 6 San Antonio, TX 78255 Rumberger, Kirk & Caldwell Defendant in Proper Person 2204 Lakeshore Drive, Suite 125 7 Birmingham, AL 35209-6739 8 9 Edmund J. Gorman, Jr., Esq. Richard L. Elmore, Esq. ATTORNEY AT LAW, LTD. 10 Holland & Hart 335 W. First Street 5441 Kietzke Lane, 2nd Floor 11 Reno, NV 89503 Reno, NV 89511 Attorney for Defendant Alan T. Hill Attorney for Thomas S. Vredevoogd, Trustee 12 of the Kimberly J. Vredevoogd Trust UA 13 1007/2008 14 And by U.S. Mail, postage prepaid, to the following individuals: 15 Jun He Randy Dock Floyd 231 Split Rock Rd 4000 Goff Road 16 The Woodlands, TX 77381 Aynor, SC 29551 Defendant in Proper Person Defendant in Proper Person 17 Elena Sammons 18 15706 Seekers St 19 San Antonio, TX 78255 Defendant in Proper Person 20 21 22 23 /s/ Stephanie J. Glantz 24 An employee of GORDON SILVER 25 26 27 28